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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,500

10/20/2003

Douglas A. Wood

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EXAMINER

ASSESSOR, BRIAN J

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,500

Applicant(s)

WOOD, DOUGLAS A.

Examiner

Brian J. Assessor

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/20/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Douik (6,012,152).

As per claim 1, Douik teaches:

A system for providing an accurate root cause failure by linking user incident reports to the root cause failure in a diagnostic database that reflects the system's current configuration, comprising:

a monitoring application for monitoring a plurality of assets and detecting failures with the plurality of assets; (Douik column 15, lines 16- 20 and column 36, lines 30-34)

a diagnostic database having a plurality of pre-identified symptoms, each pre-identified symptom being linked to at least one failure of an asset, wherein a pre-identified symptom is activated when the monitoring application detects a failure linked to the pre-identified symptom; (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

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an incident tracking application for tracking user incident reports received from users, each user incident report containing an observed symptom, (Douik column 15, lines 16- 20 and column 36, lines 30-34)

wherein, after a user incident report is received, the observed symptom in the user incident report is matched up with an activated pre-identified symptom in the diagnostic database, the asset that is associated with the activated symptom being the root cause failure. (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

As per claim 2, Douik teaches:

The system of claim 1 further comprising an incident tracking database for storing the user incident reports. (Douik column 15, lines 16-20; user reports are stored and sent to the correlation agent.)

As per claim 3, Douik teaches:

The system of claim 1, wherein the monitoring application creates a system incident report for each failure detected with an asset. (Douik column 15, lines 16-20; monitored alarm reports are stored and sent to the correlation agent.)

As per claim 4, Douik teaches:

The system of claim 3, wherein the system incident report is stored in the incident tracking database. (Douik column 15, lines 16-20; incident reports are stored and sent to the correlation agent.)

As per claim 5, Douik teaches:

The system of claim 1, wherein the diagnostic database further stores a plurality of solutions, each solution being associated with at least one pre-identified symptom. (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

As per claim 6, Douik teaches:

A method for providing an accurate root cause failure by linking user incident reports to the root cause failure in a diagnostic database that reflects the system's current configuration, comprising the steps of:

pre-populating a diagnostic database with a plurality of pre-identified symptoms, each pre-identified symptom being linked to at least one solution; (Douik column 23, lines 7-17; all known symptoms and root causes of those symptoms are used to analyze current arising symptoms in order to come up with the cause of the problem.)

linking each pre-identified symptom with at least one failure of one asset; (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

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monitoring a plurality of assets; (Douik column 15, lines 16- 20 and column 36, lines 30-34)

upon detecting a failure of an asset, activating at least one pre-identified symptom associated with the failed asset in the diagnostic database; (Douik column 15, lines 23-27; the correlation agent matches the received symptoms with the possible explanations from the knowledge base)

receiving a user incident report from an user, wherein the user incident report having at least one observed symptom; (Douik column 15, lines 16- 20 and column 36, lines 30-34)

matching the observed symptom with an activated pre-identified symptom in the diagnostic database, the asset associated with the matched symptom being the root cause failure. (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

As per claim 7, Douik teaches:

The method of claim 6, further comprising the steps of:

retrieving a solution associated with the activated pre-identified symptom; (Douik column 22, lines 53-56)

executing actions listed in the solution. (Douik column 22, lines 56-59)

As per claim 8, Douik teaches:

The method of claim 6, further comprising the steps of:

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analyzing failure modes; (Douik column 23, lines 1-5)

devising the plurality of pre-identified symptoms. (Douik column 23, lines 1-5)

As per claim 9, Douik teaches:

The method of claim 6, further comprising the steps of:

creating a system incident report for each failure detected; (Douik column 22, lines 44-48; each incident is contained in a report for the correlation agent whether it be by a monitoring alarm or a used submitted incident.)

linking the system incident report to the activated pre-identified symptom. (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

As per claim 10, Douik teaches:

A system for providing an accurate root cause failure by linking user incident reports to the root cause failure in a diagnostic database that reflects the system's current configuration, comprising:

first means for monitoring a plurality of assets and detecting failures with the plurality of assets; (Douik column 15, lines 16- 20 and column 36, lines 30-34)

second means for storing a plurality of pre-identified symptoms, each pre-identified symptom being linked to at least one failure of an asset, wherein a pre-identified symptom is activated when the first means detects a failure linked to the pre-

identified symptom; (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

third means for tracking user incident reports received from users, each user incident report containing an observed symptom, (Douik column 15, lines 16- 20 and column 36, lines 30-34)

wherein, after a user incident report is received, the observed symptom in the user incident report is matched up with an activated pre-identified symptom in the second means, the asset that is associated with the activated symptom being the root cause failure. (Douik column 15, lines 23-27; each symptom or combination of symptoms can be related to one or many explanations or root causes)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Assessor whose telephone number is (571) 272-0825. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571)272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BA



SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER